

SPECIAL USE PERMIT APPLICATION



TOWN OF CHAPEL HILL
Planning Department
405 Martin Luther King Jr. Blvd.
Chapel Hill, NC 27514
phone (919) 969-5066 fax (919) 969-2014
www.townofchapelhill.org

Parcel Identifier Number (PIN): 9799125797

Date: 05/13/2020

Section A: Project Information

Project Name: University Place
Property Address: 201 S. Estes Drive Zip Code: 27514
Use Groups (A, B, and/or C): A, B, C Existing Zoning District: CC
Project Description: Redevelopment of existing commercial mall

Section B: Applicant, Owner, and/or Contract Purchaser Information

Applicant Information (to whom correspondence will be mailed):

Name: Jessie Hardesty
Address: 2905 Meridian Parkway
City: Durham State: NC Zip Code: 27713
Phone: 919-361-5000 Email: hardesty@mcadamsco.com

The undersigned applicant hereby certifies that, to the best of their knowledge and belief, all information supplied with this application and accurate.

Signature: *Jessie Hardesty* Date: 05/13/2020

Owner/Contract Purchaser Information:

Owner

Contract Purchaser

Name: RRPV University Chapel Hill LP attn: Ashley Saulpaugh
Address: 127 W. Worthington Avenue Suite 290
City: Charlotte State: NC Zip Code: 28203
Phone: 704-377-6730 Email: asaulpaugh@ramrealestate.com

The undersigned applicant hereby certifies that, to the best of their knowledge and belief, all information supplied with this application and accurate.

Signature: *[Signature]* Date: 5/13/20

Click [here](#) for application submittal instructions.



PROJECT FACT SHEET

TOWN OF CHAPEL HILL
Planning Department

Section A: Project Information

Use Type: (check/list all that apply)

- Office/Institutional
 Residential
 Mixed-Use
 Other: _____
 Residential, Office/Institutional, Commercial,

Overlay District: (check all that apply)

- Historic District
 Neighborhood Conservation District
 Airport Hazard Zone

Section B: Land Area

Net Land Area (NLA): Area within zoning lot boundaries		NLA=	1,718,403	sq. ft.
Choose one, or both, of the following (a or b), not to exceed 10% of NLA	a) Credited Street Area (total adjacent frontage) x ½ width of public right-of-way	CSA=	171,840	sq. ft.
	b) Credited Permanent Open Space (total adjacent frontage) x ½ public or dedicated open space	COS=		sq. ft.
TOTAL: NLA + CSA and/or COS = Gross Land Area (not to exceed NLA + 10%)		GLA=	1,890,243	sq. ft.

Section C: Special Protection Areas, Land Disturbance, and Impervious Area

Special Protection Areas: (check all those that apply)

- Jordan Buffer
 Resource Conservation District
 100 Year Floodplain
 Watershed Protection District

Land Disturbance	Total (sq. ft.)
Area of Land Disturbance (Includes: Footprint of proposed activity plus work area envelope, staging area for materials, access/equipment paths, and all grading, including off-site clearing)	TBD
Area of Land Disturbance within RCD	TBD
Area of Land Disturbance within Jordan Buffer	None

Impervious Areas	Existing (sq. ft.)	Demolition (sq. ft.)	Proposed (sq. ft.)	Total (sq. ft.)
Impervious Surface Area (ISA)	1,472,295 sf	TBD	1,417,682 sf	TBD
Impervious Surface Ratio: Percent Impervious Surface Area of Gross Land Area (ISA/GLA)%	77.9%	TBD	75%	TBD
If located in Watershed Protection District, % of impervious surface on 7/1/1993	80.6%	TBD	-	-



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Section D: Dimensions

Dimensional Unit (sq. ft.)	Existing (sq. ft.)	Demolition (sq. ft.)	Proposed (sq. ft.)	Total (sq. ft.)
Number of Buildings	6	u")	TBD	TBD
Number of Floors	2 (max)	2 (max)	1-7	1-7
Recreational Space	1033	TBD	TBD	TBD

Residential Space

Dimensional Unit (sq. ft.)	Existing (sq.ft.)	Demolition (sq. ft.)	Proposed (sq. ft.)	Total (sq. ft.)
Floor Area (all floors – heated and unheated)	0	0	TBD	TBD
Total Square Footage of All Units	0	0	TBD	TBD
Total Square Footage of Affordable Units	0	0	TBD	TBD
Total Residential Density	0	0	TBD	TBD
Number of Dwelling Units	0	0	TBD	TBD
Number of Affordable Dwelling Units	0	0	TBD	TBD
Number of Single Bedroom Units	0	0	TBD	TBD
Number of Two Bedroom Units	0	0	TBD	TBD
Number of Three Bedroom Units	0	0	TBD	TBD

Non-Residential Space (Gross Floor Area in Square Feet)

Use Type	Existing	Proposed	Uses	Existing	Proposed
Commercial	376,845	TBD			
Restaurant	42,455	TBD	# of Seats		
Government	0	TBD			
Institutional	0	TBD			
Medical	0	TBD			
Office	0	TBD			
Hotel	0	TBD	# of rooms		
Industrial	0	TBD			
Place of Worship	0	TBD	# of Seats		
Other	0	TBD			

Dimensional Requirements		Required by Ordinance	Existing	Proposed
Setbacks (minimum)	Street	22	61.2	0-77 BTZ
	Interior (neighboring property lines)	8	53.8	0
	Solar (northern property line)	9	N/A	0
Height (maximum)	Primary	34	34	34/75
	Secondary	60	60	45/90
Streets	Frontages	N/A	N/A	N/A
	Widths	N/A	N/A	N/A



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Section F: Adjoining or Connecting Streets and Sidewalks

Note: For approval of proposed street names, contact the Engineering Department.

Street Name	Right-of-Way Width	Pavement Width	Number of Lanes	Existing Sidewalk*	Existing Curb/Gutter
FORDHAM BLVD	VARIABLE	48'-72'	R-6	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Yes
ESTES DRIVE	90'	65'	5	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes
WILLOW DRIVE	60'	33'	3	X Yes	X Yes

List Proposed Points of Access (Ex: Number, Street Name):

*If existing sidewalks do not exist and the applicant is adding sidewalks, please provide the following information:

Sidewalk Information			
Street Names	Dimensions	Surface	Handicapped Ramps
			<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
			<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A

Section G: Parking Information

Parking Spaces	Minimum	Maximum	Proposed
Regular Spaces	TBD	TBD	TBD
Handicap Spaces	TBD	TBD	TBD
Total Spaces	TBD	TBD	TBD
Loading Spaces	TBD	TBD	TBD
Bicycle Spaces	TBD	TBD	TBD
Surface Type	ASPHALT		

Section H: Landscape Buffers

Location (North, South, Street, Etc.)	Minimum Width	Proposed Width	Alternate Buffer	Modify Buffer
ESTES (ARTERIAL)	30'	0'	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes
WILLOW (COLLECTOR)	20'	0'	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes
FORDHAM (ARTERIAL)	30'	0'	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Yes
ADJACENT TO PIN 9799234058	20'	10'	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes

See Design Standards for Streetscapes



Section I: Land Use Intensity

Existing Zoning District:
 Proposed Zoning Change (if any):

Zoning – Area – Ratio			Impervious Surface Thresholds			Minimum and Maximum Limitations	
Zoning District(s)	Floor Area Ratio (FAR)	Recreation Space Ratio (RSR)	Low Density Residential (0.24)	High Density Residential (0.50)	Non-Residential (0.70)	Maximum Floor Area (MFA) = FAR x GLA	Minimum Recreation Space (MSR) = RSR x GLA
CC	.429	.046			.75	810,914	N/A
		see outdoor amenity space in Design Standards					
TOTAL							
RCD Streamside	.001	0.01					
RCD Managed	.019	0.019					
RCD Upland	.429						

Section J: Utility Service

Check all that apply:

Water	<input checked="" type="checkbox"/> OWASA	<input type="checkbox"/> Individual Well	<input type="checkbox"/> Community Well	<input type="checkbox"/> Other
Sewer	<input checked="" type="checkbox"/> OWASA	<input type="checkbox"/> Individual Septic Tank	<input type="checkbox"/> Community Package Plant	<input type="checkbox"/> Other
Electrical	<input checked="" type="checkbox"/> Underground	<input type="checkbox"/> Above Ground		
Telephone	<input checked="" type="checkbox"/> Underground	<input type="checkbox"/> Above Ground		
Solid Waste	<input checked="" type="checkbox"/> Town	<input type="checkbox"/> Private		



**SPECIAL USE PERMIT APPLICATION
SUBMITTAL REQUIREMENTS
TOWN OF CHAPEL HILL
Planning Department**

The following must accompany your application. Failure to do so will result in your application being considered incomplete. For assistance with this application, please contact the Chapel Hill Planning Department (Planning) at (919) 969-5066 or at planning@townofchapelhill.org.

X	Application fee (including Engineering Review fee) (refer to fee schedule)	Amount Paid \$	80,000.00
X	Pre-application meeting –with appropriate staff		
X	Digital Files – provide digital files of all plans and documents		
X	Recorded Plat or Deed of Property		
X	Project Fact Sheet		
X	Traffic Impact Statement – completed by Town’s consultant (or exemption)		
	Description of Public Art Proposal		
	Statement of Justification		
	Response to Community Design Commission and Town Council Concept Plan comments		
X	Affordable Housing Proposal, if applicable see master plan		
N/A	Provide existing Special Use Permit, if Modification		
X	Mailing list of owners of property within 1,000 feet perimeter of subject property (see GIS notification tool)		
X	Mailing fee for above mailing list (mailing fee is double due to 2 mailings)	Amount Paid \$	567.00
X	Written Narrative describing the proposal		
	Resource Conservation District, Floodplain, & Jordan Buffers Determination – necessary for all submittals		
N/A	Jurisdictional Wetland Determination – if applicable		
N/A	Resource Conservation District Encroachment Exemption or Variance (determined by Planning)		
N/A	Jordan Buffer Authorization Certificate or Mitigation Plan Approval (determined by Planning)		
X	Reduced Site Plan Set (reduced to 8.5” x 11”)		

Stormwater Impact Statement (1 copy to be submitted)

- a) Written narrative describing existing & proposed conditions, anticipated stormwater impacts and management structures and strategies to mitigate impacts
- b) Description of land uses and area (in square footage)
- c) Existing and proposed impervious surface area in square feet for all subareas and project area
- d) Ground cover and uses information
- e) Soil information (classification, infiltration rates, depth to groundwater and bedrock)
- f) Time of concentration calculations and assumptions
- g) Topography (2-foot contours)
- h) Pertinent on-site and off-site drainage conditions
- i) Upstream and/or downstream volumes
- j) Discharges and velocities
- k) Backwater elevations and effects on existing drainage conveyance facilities
- l) Location of jurisdictional wetlands and regulatory FEMA Special Flood Hazard Areas
- m) Water quality volume calculations
- n) Drainage areas and sub-areas delineated
- o) Peak discharge calculations and rates (1, 2, and 25-year storms)
- p) Hydrographs for pre- & post-development without mitigation, post-development with mitigation
- q) Volume calculations and documentation of retention for 2-year storm



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- r) 85% TSS removal for post-development stormwater runoff
- s) Nutrient loading calculations
- t) BMP sizing calculations
- u) Pipe sizing calculations and schedule (include HGL & EGL calculations and profiles)

Plan Sets (10 copies to be submitted no larger than 24" x 36")

Plans should be legible and clearly drawn. All plan set sheets should include the following:

- Project Name
- Legend
- Labels
- North Arrow (North oriented toward top of page)
- Property boundaries with bearing and distances
- Scale (Engineering), denoted graphically and numerically
- Setbacks
- Streams, RCD Boundary, Jordan Riparian Buffer Boundary, Floodplain, and Wetlands Boundary, where applicable
- Revision dates and professional seals and signatures, as applicable

Cover Sheet

- a) Include Project Name, Project fact information, PIN, and Design Team

Area Map

- a) Project name, applicant, contact information, location, PIN, & legend
- b) Dedicated open space, parks, greenways
- c) Overlay Districts, if applicable
- d) Property lines, zoning district boundaries, land uses, project names of site and surrounding properties, significant buildings, corporate limit lines
- e) Existing roads (public & private), rights-of-way, sidewalks, driveways, vehicular parking areas, bicycle parking, handicapped parking, street names
- f) 1,000' notification boundary

Existing Conditions Plan

- a) Slopes, soils, environmental constraints, existing vegetation, and any existing land features
- b) Location of all existing structures and uses
- c) Existing property line and right-of-way lines
- d) Existing utilities & easements including location & sizes of water, sewer, electrical, & drainage lines
- e) Nearest fire hydrants
- f) Nearest bus shelters and transit facilities
- g) Existing topography at minimum 2-foot intervals and finished grade
- h) Natural drainage features & water bodies, floodways, floodplain, RCD, Jordan Buffers & Watershed boundaries



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Detailed Site Plan

- a) Existing and proposed building locations
- b) Description & analysis of adjacent land uses, roads, topography, soils, drainage patterns, environmental constraints, features, existing vegetation, vistas (on and off-site)
- c) Location, arrangement, & dimension of vehicular parking, width of aisles and bays, angle of parking, number of spaces, handicapped parking, bicycle parking. Typical pavement sections & surface type.
- d) Location of existing and proposed fire hydrants
- e) Location and dimension of all vehicle entrances, exits, and drives
- f) Dimensioned street cross-sections and rights-of-way widths
- g) Pavement and curb & gutter construction details
- h) Dimensioned sidewalk and tree lawn cross sections
- i) Proposed transit improvements including bus pull-off and/or bus shelter
- j) Required landscape buffers (or proposed alternate/modified buffers)
- k) Required recreation area/space (including written statement of recreation plans)
- l) Refuse collection facilities (existing and proposed) or shared dumpster agreement
- m) Construction parking, staging, storage area, and construction trailer location
- n) Sight distance triangles at intersections
- o) Proposed location of street lights and underground utility lines and/or conduit lines to be installed
- p) Easements
- q) Clearing and construction limits
- r) Traffic Calming Plan – detailed construction designs of devices proposed & associated sign & marking plan

Stormwater Management Plan

- a) Topography (2-foot contours)
- b) Existing drainage conditions
- c) RCD and Jordan Riparian Buffer delineation and boundary (perennial & intermittent streams; note ephemeral streams on site)
- d) Proposed drainage and stormwater conditions
- e) Drainage conveyance system (piping)
- f) Roof drains
- g) Easements
- h) BMP plans, dimensions, details, and cross-sections
- i) Planting and stabilization plans and specifications

Landscape Protection Plan

- a) Rare, specimen, and significant tree survey within 50 feet of construction area
- b) Rare and specimen tree critical root zones
- c) Rare and specimen trees proposed to be removed
- d) Certified arborist tree evaluation, if applicable
- e) Significant tree stand survey
- f) Clearing limit line
- g) Proposed tree protection/silt fence location
- h) Pre-construction/demolition conference note
- i) Landscape protection supervisor note
- j) Existing and proposed tree canopy calculations, if applicable



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Planting Plan

- a) Dimensioned and labeled perimeter buffers
- b) Off-site buffer easement, if applicable
- c) Landscape buffer and parking lot planting plan (including planting strip between parking and building, entryway planting, and 35% shading requirement)

Steep Slope Plan

- a) Classify and quantify slopes 0-10%, 10-15%, 15-25%, and 25% and greater
- b) Show and quantify areas of disturbance in each slope category
- c) Provide/show specialized site design and construction techniques

Grading and Erosion Control Plan

- a) Topography (2-foot contours)
- b) Limits of Disturbance
- c) Pertinent off-site drainage features
- d) Existing and proposed impervious surface tallies

Streetscape Plan, if applicable

- a) Public right-of-way existing conditions plan
- b) Streetscape demolition plan
- c) Streetscape proposed improvement plan
- d) Streetscape proposed utility plan and details
- e) Streetscape proposed pavement/sidewalk details
- f) Streetscape proposed furnishing details
- g) Streetscape proposed lighting detail

Solid Waste Plan

- a) Preliminary Solid Waste Management Plan
- b) Existing and proposed dumpster pads
- c) Proposed dumpster pad layout design
- d) Proposed heavy duty pavement locations and pavement construction detail
- e) Preliminary shared dumpster agreement, if applicable



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Construction Management Plan

- a) Construction trailer location
- b) Location of construction personnel parking and construction equipment parking
- c) Location and size of staging and materials storage area
- d) Description of emergency vehicle access to and around project site during construction
- e) Delivery truck routes shown or noted on plan sheets

Energy Management Plan

- a) Description of how project will be 20% more energy efficient than ASHRAE standards
- b) Description of utilization of sustainable forms of energy (Solar, Wind, Hydroelectric, and Biofuels)
- c) Participation in NC GreenPower program
- d) Description of how project will ensure indoor air quality, adequate access to natural lighting, and allow for proposed utilization of sustainable energy
- e) Description of how project will maintain commitment to energy efficiency and reduced carbon footprint over time
- f) Description of how the project's Transportation Management Plan will support efforts to reduce energy consumption as it affects the community

Exterior Elevations

- a) An outline of each elevation of the building, including the finished grade line along the foundation (height of building measured from mean natural grade)

November 12, 2020

Judy Johnson and Jake Lowman
Town of Chapel Hill Planning Department

Re: University Place Modifications to Regulations

As described in §6.18.2 of the LUMO, **Permitted Modifications of Regulations,**

“Where actions, designs, or solutions proposed by the development are not literally in accord with applicable planned development regulations, general regulations, or other regulations in this appendix, but the Town Council makes a finding in the particular case that the public purposes are satisfied to an equivalent or greater, the Town Council may make specific modification of the regulations in the particular case. Any modifications of regulations shall be explicitly indicated in the special use permit or modification of the special use permit.”

University Mall is an existing commercial mall that has been located on the subject parcel for over 40 years. Since the construction of this project, local, state, and federal regulations pertaining to the development of land have changed such that a high-intensity, high-density development could not be developed on the subject parcel. Since construction, University Place has become an integral part of the Town of Chapel Hill and redevelopment will create a gateway location developed as a high-density, high-intensity center in keeping with trends for the redevelopment of older commercial malls. University Place will create a vibrant mixed-use community including open spaces, and construction of public greenways and sidewalks. Constraints on this parcel include the existing developed areas of the parcel that do not conform with current LUMO standards, the presence of sensitive environmental features such as floodways and floodplains, and the extent of the Town’s Resource Conservation District.

Due to the peculiarities of the existing development and the LUMO, modifications to required standards are necessary to create a mixed-use center that meets the Town’s vision and intent for such developments. The requested modifications are the minimum necessary to allow the redevelopment of this parcel.

Sincerely,
MCADAMS



Jessie Hardesty
Planner, Planning + Design

October 29, 2020

Jake Lowman, Senior Planner
 Town of Chapel Hill Planning Department

Re: University Place Modifications to Regulations

SETBACK MODIFICATION

The Land Use Management Ordinance Article 3.8.2 sets forth the following minimum setbacks for development in the CC, Community Commercial, zoning district:

YARD	REQUIRED SETBACK
STREET SETBACK	22'
INTERIOR SETBACK	8'
SOLAR SETBACK	9'

As part of the approval of the requested special use permit, University Place is requesting the following modifications to the required setbacks:

YARD	REQUIRED SETBACK
STREET SETBACK (WILLOW DRIVE)	0-20' BTZ
STREET SETBACK (FORDHAM BLVD)	0' min Max with parking: 77' Max without parking: 0-20'
INTERIOR SETBACK	0'
SOLAR SETBACK	0'

Please refer to Design Standards for details.

In creating a vibrant mixed-use community, an important design consideration is the relation of structures to the public realm. In place of standard setbacks, the above build-to-zones are requested along Willow Drive and Fordham Blvd. Given the nature of the mixed-use development with various uses abutting one another, a 0-ft interior setback is requested. Where large setbacks are required from public streets, the community can feel removed from the public travel ways which can negatively impact the development's ability to draw users and residents. The requested dimensional standards will allow proposed buildings to be closer to the street and engage the public realm, creating a mixed-use development that draws users and is an asset to the Town of Chapel Hill.

BUFFER MODIFICATION

The Land use Management Ordinance Article 5.6.6 sets forth the following required perimeter buffers for the redevelopment of University Place:

LOCATION OF REQUIRED BUFFER	REQUIRED BUFFER
FORDHAM BLVD	30' TYPE D
ESTES DRIVE	30' TYPE D
WILLOW DRIVE	20' TYPE D
ADJACENT TO PIN 9799234058	20' TYPE B

As part of the approval of the requested special use permit, University Place is requesting the following modifications to the required perimeter buffers. In place of buffers, streetscape configurations are described for each street below.

LOCATION OF REQUIRED BUFFER	REQUIRED BUFFER
FORDHAM BLVD	0' (NO BUFFER REQUIRED)
ESTES DRIVE	0' (NO BUFFER REQUIRED)
WILLOW DRIVE	0' (NO BUFFER REQUIRED)
ADJACENT TO PIN 9799234058	10' TYPE B

Please refer to Design Standards for details.

Similar to the requested modifications to the required setbacks, this modification will allow the proposed redevelopment of University Place to actively engage the public realm, which will contribute to the success and overall vibrancy of the center. If buffers were installed that met the minimum requirements of the LUMO, University Place would be separated from the surrounding public streets with dense vegetation. This arrangement is not conducive to the development of a high-density, high-intensity mixed-use development. In place of buffers, a streetscape alternative is proposed:

Willow Drive Streetscape:

- Sidewalk (min): 5' (Existing to remain)
- Planting strip (min): 3'
- Outdoor Amenity Space/Tree Planting Zone (min): 8' (preserve existing mature trees where possible)

- Tree Spacing (on center, avg): 40' (space proposed trees around and between existing mature trees as needed)
- Bike Lane (min): 4.5'

Fordham Boulevard Streetscape:

- Sidewalk (min): N/A* (*Multi-use path proposed as alternative to sidewalk)
- Multi-use Path: 10' (with 2' clear zone)
- Tree Planting Zone (min): 8' - (preserve existing mature trees where possible)
- Tree Spacing (on center, avg): 40' - (space proposed trees around and between existing mature trees as needed)

Estes Drive Streetscape:

- Sidewalk (min): N/A* (*Multi-use path proposed as alternative to sidewalk)
- Multi-use Path: 10' (with 2' clear zone)
- Tree Planting Zone (min): 8' - (preserve existing mature trees where possible)
- Tree Spacing (on center, avg): 40' - (space proposed trees around and between existing mature trees as needed)

TREE CANOPY COVERAGE MODIFICATION

The Land Use Management Ordinance Article 5.7.2 sets forth the following minimum tree canopy coverage requirements for the redevelopment of University Place:

PROPOSED USE	MINIMUM TREE CANOPY COVERAGE REQUIRED
MULTIFAMILY	30%
COMMERCIAL	30%
OFFICE	30%
MIXED-USE	40%

As part of the approval of the requested special use permit, University Place is requesting the following modifications to the required tree canopy coverage:

PROPOSED USE	MINIMUM TREE CANOPY COVERAGE REQUIRED
MULTIFAMILY	20%
COMMERCIAL	20%
OFFICE	20%
MIXED-USE	20%

Per §5.7.2.b of the Chapel Hill LUMO, “The town council may allow a modification to these regulations when public purposes are met and canopy removal supports other goals of the Town, including but not limited to:

- > Goals of the Comprehensive Plan
- > LEED or “green” building and low impact development, including solar access and “daylighting”
- > Affordable housing
- > Stormwater management
- > Community character of adjoining development, or established managed landscape, or established streetscapes

University Place is requesting the tree canopy coverage modification due to several factors related to redevelopment.

University Place is an existing non-residential development constructed prior to the current Land Use Management Ordinance. Tree canopy coverage requirements were not in place at the time of the original approval of University Place so meeting this requirement during the redevelopment of the parcel is problematic when the intention is to increase the density and intensity of the development. The requested reduction is a more reasonable tree canopy coverage requirement given the existing development on the parcel.

Additionally, University Place is envisioned as a mixed-use community with up to 600,000 square feet of non-residential uses, up to 300 residential dwelling units, and up to 150 hotel rooms. A development of this scope requires impervious surfaces that are not suitable for the planting of vegetation. The requested reduction is the minimum necessary to create a substantial tree canopy cover without limiting the ability to redevelop the site.

The redevelopment of University Place is in keeping with the goals of the Town of Chapel Hill Comprehensive Plan.

- > **A Place for Everyone:** University Place is, and will continue to be, a part of the fabric of Chapel Hill. The redevelopment and increased square footage for non-residential uses will create even more places and spaces for residents and visitors.
- > **Community Prosperity and Engagement:** University Place is an aging mall at a time when traditional malls all across the country are failing. The redevelopment of University Place will allow it to prosper into the future, which will ultimately contribute to the success and prosperity of Chapel Hill as a whole.
- > **Getting Around:** As part of the redevelopment, greenways, walking trails, and sidewalks will be constructed. Additionally, improvements to the transportation network will be constructed as required by the Traffic Impact Analysis. The requested special use permit will enhance the ability of pedestrians, bikes, and vehicles to move around Chapel Hill.
- > **Good Place, New Spaces:** The requested special use permit allows for a new mixed-use center where an aging commercial mall is located. The redeveloped University Place will be a ‘good space’ and will include new open spaces in areas that will add interest throughout the site and allow residents and visitors to gather and enjoy the outdoors while staying on site.
- > **Nurturing Our Community:** University Place was constructed prior to modern environmental regulations intended to protect and preserve natural resources, which means that stormwater treatment and impervious surfaces do not meet the modern standards for environmental protection. As part of the redevelopment, impervious surfaces will be removed from the site to provide some increased level of environmental protection.

BUILDING HEIGHT MODIFICATION

The Land Use Management Ordinance Article 3.8.2 sets forth the building height maximums in the CC, Community Commercial zoning district:

BUILDING HEIGHT, SETBACK	34'
BUILDING HEIGHT, CORE	60'

As part of the approval of the requested special use permit, University Place is requesting the following modifications to the maximum permitted building height:

POD A and C	
BUILDING HEIGHT, SETBACK	75' (5 STORIES)
BUILDING HEIGHT, CORE	90' (7 STORIES)

POD D	
BUILDING HEIGHT, SETBACK	34' (3 STORIES)
BUILDING HEIGHT, CORE	45' (3 STORIES)

Please refer to Design Standards for details.

In an effort to reduce the building footprints on the parcel while still creating a high-density, high-intensity mixed-use center, University Place is requesting a modification to allow increased maximum building heights. This modification will allow for vertically mixed-use buildings that will create more interesting spaces and places while reducing building footprints to conserve the available land area. This modification will also give the development a sense of place and identity that will enhance the vibrancy and long-term viability of the project.

IMPERVIOUS SURFACE RATIO MODIFICATION

The Land Use Management Ordinance Article 3.8.2 limits the maximum impervious surface ratio in the CC, Community Commercial district to **70%** of the total lot area. As part of the approval of the requested special use permit, University Place is requesting a modification to allow a maximum impervious surface ratio of **75%**.

The current impervious surface maximums were not in place when University Place was constructed over 40 years ago. As such, approximately **78%** of the site is currently covered with impervious surfaces. As part of the redevelopment of this parcel, the applicant is proposing to remove some of the existing impervious surfaces and replace them with open spaces, landscaping, or other features. Removal of at least 3% of the existing impervious surface will result in over 55,000 square feet of land being converted to pervious surfaces while allowing the redevelopment of the proposed mixed-use center at the density and intensity envisioned by the associated special use permit master plan.

PARKING MODIFICATION

The Land Use Management Ordinance Article 5.9.7 sets forth minimum and maximum parking requirements for potential residential, commercial, and office uses on site. As part of the approval of the requested special use permit, University Place is requesting a modification to allow for a 30% reduction in parking for parking areas to be shared by multiple uses.

In effort to reduce impervious surface on the site while increasing the density of uses on the site, allowing for a parking reduction will serve to benefit the overall site design, intent of the site, and Town goals. Improved bicycle and pedestrian connectivity through added sidewalks, multi-use paths, and bike lanes allows for alternative modes of transportation to and from the site, benefiting both the environment and visitor experience.

In addition to shared parking for the project as a whole, the following modifications to parking requirements for specific uses are requested. An asterisk (*) in the chart below denotes the modifications to the LUMO.

Required by LUMO:

PARKING REQUIREMENTS	VEHICLE		BICYCLE	
	MIN.	MAX.	MIN.	SHORT/LONG TERM
RESIDENTIAL USES				
Multifamily Dwelling Units, as follows:				
Studio / 1 Bedroom	1.0/Unit	1.25/Unit	1 per 4 units	20% / 80%
2 Bedroom	1.4/Unit	1.75/Unit	1 per 4 units	20% / 80%
3 Bedroom	1.75/Unit	2.25/Unit	1 per 4 units	20% / 80%
4+ Bedroom	2.0/Unit	2.5/Unit	1 per 4 units	20% / 80%
Independent Senior Living Facility	0.5/Unit	0.7/Unit	Min. 4; 1 per senior unit	20% / 80%
COMMERCIAL USES	MIN.	MAX.	MIN.	SHORT/LONG TERM
All Commercial Uses:				
Business, general	1 per 300 SF	1 per 200 SF	Under 100,000 sq. ft. floor area: Min 4; 2 additional spaces per every 2,500 sq. ft. of floor area for 1st 10,000 sq. ft.; then 1 additional space per 5,000 sq. ft.; Over 100,000 sq. ft. floor area: 1 space per 10,000 sq. ft. floor area	80% / 20%
Bank	1 per 250 SF	1 per 150 SF	Min 4; 2 additional spaces per every 2,500 sq. ft. of floor area	80% / 20%
Other Convenience Businesses	1 per 375 SF	1 per 250 SF	Min 4; 2 additional spaces per every 2,500 sq. ft. of floor area	80% / 20%
Manufacturing, Light (accessory use only)	1 per 1,250 SF	1 per 9,000 SF	Min 4	80% / 20%
Movie Theater	1 per 5 seats	1 per 4 seats	Min 8; 1 per 50 seats	80% / 20%
Personal Services	1 per 375 SF	1 per 250 SF	Min 4; 2 additional spaces per every 2,500 sq. ft. of floor area	80% / 20%
Place of Assembly	1 per 4 persons	1 per 2.5 persons	Min 8; 1 per 40 seats	80% / 20%
Restaurant/Bar	1 per 110 SF	1 per 75 SF	Min 4; 2 additional spaces per every 1,000 sq. ft. of floor area	80% / 20%
OFFICE USES	MIN.	MAX.	MIN.	SHORT/LONG TERM
All Office Uses:				80% / 20%
Business, office type	1 per 350 SF	1 per 250 SF	Min 4; 2 additional spaces per every 2,500 sq. ft. of floor area	80% / 20%
Clinic	1 per 225 SF	1 per 200 SF	Min 4; 2 additional spaces per every 2,500 sq. ft. of floor area	80% / 20%
Place of Worship	1 per 5 seats	1 per 2 seats	Min 8; 1 per 50 seats	80% / 20%
Public Cultural Facility	1 per 500 SF	1 per 350 SF	Min 8; 2 additional spaces per every 5,000 sq. ft. of floor area	80% / 20%
Public Use Facility	1 per 350 SF	No max	Min 8; 2 additional spaces per every 4,000 sq. ft. of floor area	80% / 20%
Research Activities	1 per 350 SF	1 per 225 SF	Min 4; 2 additional spaces per every 4,000 sq. ft. of floor area	80% / 20%
School - Elementary/Middle	1 per staff member	1 per 1.25 staff members	Min 8; 1 per 10 students	80% / 20%
School - High School	1 per 4 students	1 per 3 students	Min 8; 1 per 10 students	80% / 20%
HOTEL USES	MIN.	MAX.	MIN.	SHORT/LONG TERM
Hotel or Motel	0.9/Lodging Unit	1.25/Lodging Unit	1 per 15 Lodging Units	20% / 80%

Proposed:

PARKING REQUIREMENTS	VEHICLE		BICYCLE	
	MIN.	MAX.	MIN.	SHORT/LONG TERM
RESIDENTIAL USES				
Multifamily Dwelling Units, as follows:				
Studio / 1 Bedroom	1.0/Unit	1.25/Unit	1 per 4 units	20% / 80%
2 Bedroom	1.25/Unit*	1.75/Unit	1 per 4 units	20% / 80%
3 Bedroom	1.75/Unit	2.25/Unit	1 per 4 units	20% / 80%
4+ Bedroom	2.0/Unit	2.5/Unit	1 per 4 units	20% / 80%
Independent Senior Living Facility	0.5/Unit	1.0/Unit*	1 per 2 units*	20% / 80%
COMMERCIAL USES	MIN.	MAX.	MIN.	SHORT/LONG TERM
All Commercial Uses, Except:	1 per 300 SF*	1 per 200 SF*	1 per 2,500 SF*	80% / 20%
Restaurant/Bar	1 per 150 SF*	1 per 75 SF*	1 per 2,500 SF*	80% / 20%
OFFICE USES	MIN.	MAX.	MIN.	SHORT/LONG TERM
All Office Uses	1 per 300 SF*	1 per 200 SF*	1 per 2,500 SF*	50% / 50%*
HOTEL USES	MIN.	MAX.	MIN.	SHORT/LONG TERM
Hotel or Motel	0.9/Lodging Unit	1.25/Lodging Unit	1 per 15 Lodging Units	20% / 80%

*Denotes a modification from LUMO Standards.

SIGN MODIFICATION

The Land Use Management Ordinance Article 5.14 sets forth sign regulations for type, size, display, maximum number, and illumination. Modifications are requested to allow for a Gateway sign in addition to the commercial center signs permitted. Currently, the maximum number of commercial center signs per street frontage is one (1), and this request would allow for one additional sign on Fordham Blvd.

COMMERCIAL SIGN	LUMO REQUIREMENTS
HEIGHT	14'
WIDTH	10'
THICKNESS	12"
SIGN STRUCTURE PLUS DISPLAY SURFACE	144 SF
MAX # PER STREET FRONTAGE	1
ILLUMINATION	Permitted during business hours only

As part of the approval of the requested special use permit, University Place is requesting the following modifications to the commercial sign regulations, applicable only to the gateway sign:

COMMERCIAL SIGN	PROPOSED MODIFICATIONS
HEIGHT	24'
WIDTH	12'
THICKNESS	24"
SIGN STRUCTURE PLUS DISPLAY SURFACE	288 SF
MAX # PER STREET FRONTAGE	2 (Fordham Blvd only)
ILLUMINATION	Permitted during business hours and non-business hours

Additionally, modifications are requested for outparcel ground signs.

GROUND SIGN	LUMO REQUIREMENTS
DISTANCE (FROM OTHER COMMERCIAL GROUND SIGNS)	150'
MAX # PER STREET FRONTAGE	1
MAX # PER LOT	1
GROUND SIGNS PERMITTED ON THE SAME ZONING LOT WITH A PROJECTING SIGN	No, unless signs are located on different street frontages

As part of the approval of the requested special use permit, University Place is requesting the following modifications to the ground sign regulations:

GROUND SIGN	PROPOSED MODIFICATIONS
DISTANCE (FROM OTHER COMMERCIAL GROUND SIGNS)	100'
MAX # PER STREET FRONTAGE	No max; must have minimum 100' spacing
MAX # PER LOT	No max; must have minimum 100' spacing
GROUND SIGNS PERMITTED ON THE SAME ZONING LOT WITH A PROJECTING SIGN	Yes; must have minimum 100' spacing

The current approved unified sign plan allows for five (5) ground signs for outparcels (K&W, Harris Teeter, Fuel, SunTrust, and former Wells Fargo bank as the five) in addition to the three (3) commercial center signs, therefore the request is in line with what is currently permitted. These changes will ultimately be incorporated into a revised unified signage package to be submitted and approved before any of the signage modifications are permitted to be constructed.

November 12, 2020

Ms. Judy Johnson
Mr. Jake Lowman
Planning & Development Service
Town of Chapel Hill
405 Martin Luther King Jr. Blvd.
Chapel Hill, North Carolina 27514

**RE: University Place – Special Use Permit Modification
Resource Conservation District Modification Request
RAM-19000**

Ms. Johnson / Mr. Lowman,

On behalf of the owner, RRPV University Chapel Hill LP (dba - Ram Realty Advisors), and in conjunction with the submittal of the Special Use Permit (SUP) Modification application for the University Place project at 201 S. Estes Drive we are providing this Resource Conservation District (RCD) modification request. The proposed modification is to address accommodation of the changes to the already existing RCD impacts on the site as opposed to permitting new impacts to the RCD. The proposed encroachments associated with the pending SUP and eventual Zoning Compliance Permit (ZCP) applications show an overall reduction in the impacts to the RCD. Two exhibits are attached - one depicting the existing conditions and existing RCD impacts and the second showing the proposed redevelopment with the reduced RCD impacts.

Existing Conditions

The mall was developed in the 1970's prior to the implementation of the Town's resource conservation district overlay. The majority of the site then, and now, lies within the floodplain associated with Bolin Creek, located on the south side of S. Estes Drive and therefore within the RCD set at 3-feet above the 100-year floodplain elevation. University Place is not impacted by the typical 150-foot wide, 3-zone, RCD buffer measured from the top-of-bank of Bolin Creek. The existing buildings, sidewalks, parking and drive aisles, with the exception of the Harris Teeter and K&W buildings, all lie within the RCD based on floodplain. In recent years, as improvements have been made to University Place to attract new tenants and remain a viable asset for the owner and economic contributor to the Town the required flood proofing modifications have been completed where required by FEMA regulations and the Town's Flood Damage Prevention Ordinance.

The original mall total site impervious area 1,472,295 square feet (77.9%) of buildings, sidewalks, parking and drive aisles was constructed prior to the establishment of the RCD. The impervious area of the mall

within the RCD and floodplain is 1,300,267 sf. The comparison of this high existing impervious percentage and the proposed reduction in impervious area spelled out below provides a quantifiable measure of the improvement that will be provided by the redevelopment.

Proposed Condition

The redevelopment of University Place being requested with the SUP Modification will remove, relocate, or reconfigure the existing RCD encroachments. The total encroachment by buildings, sidewalks, parking and drive aisles will reduce the amount of impervious area in the RCD. The current concept plan for University Place proposes a total of 1,416,737 sf of impervious area (75%) for the entire site. An overall reduction of 55,558 sf or 1.27-acres represents a 3.8% reduction in overall impervious area. Of that total, the current concept plan proposes 1,247,810 sf is in the RCD. A reduction of 52,466 sf or 1.20-acres, representing a 4.0% reduction of impervious area in the RCD.

The Town's Land Use Management Ordinance, Section 3.6.3 is geared toward the protection of undeveloped RCD throughout the Town's jurisdiction. The existing improvements at University Place, constructed well before the implementation of the RCD, obviously does not reflect the requirements of the RCD ordinance. The redevelopment of University Place as proposed in the current SUP application is necessary to allow University Place to remain a valuable asset for both the Town and the owner. While the redevelopment cannot meet the specific requirements of Section 3.6.3 it can provide significant improvements to the current impacts in areas identified in the RCD ordinance.

LUMO Sec. 3.6.3.(i)(4) - Application of the resource conservation district to the reconstruction, rehabilitation renovation, or expansion of development existing within the regulatory floodplain and floodway.

- a. Within the regulatory floodplain, the reconstruction, rehabilitation, or renovation of a development existing, or for which construction had substantially begun, on or before March 19, 1984, is prohibited unless the reconstruction, rehabilitation, or renovation complies with the requirements of the Federal Emergency Management Agency, or its successor agency, in place at the time of reconstruction, rehabilitation, or renovation*
- b. Within the regulatory floodplain, the expansion of a development existing, or for which construction had substantially begun, on or before March 19, 1984, is prohibited unless:*
 - 1. The expansion is permitted by subsection (e) and meets the design standards of subsection (g) of this section; or*
 - 2. The expansion is permitted by a variance authorized by this article and approved by the board of adjustment*

The previous improvements that have been made at University Place fall within Section 3.6.3.(i)(4)a. above and have met the requirements of the LUMO, FEMA regulations and the Town's Flood Damage Prevention Ordinance. Future improvements, whether renovations or demolition & reconstruction of the existing buildings within the footprint of the existing building, will continue to be designed and constructed to meet these requirements.

New construction beyond the footprints of the existing mall building, or other buildings, fall under Section 3.6.3.(i)(4)b. The Use Table referenced in subsection (e) provides a list of uses permitted, prohibited, or permitted with a SUP or subdivision approval. The items in the table are adapted from the State's Use Table for uses within riparian stream buffers. The Town's ordinance extends the stream buffers adjacent to perennial streams to 150-feet compared to the State's 50-foot requirement. The application of the Use Table also extends within that 150-foot buffer. The existing buildings at University Place are 175-feet, (former SunTrust Bank branch building, now First Horizon Bank) to 425-feet (the main enclosed mall building) from the banks of Bolin Creek. While it is understandable that the Use Table would apply to the Town's extension of the stream buffer and potentially for RCD associated with floodplain on undeveloped property, the application to the expansion and improvement of an existing development would cause University Place to continue to diminish in value as an asset to the owner and the Town.

As such, we request a modification to the application of the RCD ordinance to University Place to allow the expansion of University Place within the existing floodplain and RCD associated with that floodplain for all proposed buildings, and other improvements. The proposed buildings and site improvements will be required to meet the requirements of the FEMA regulations and the Town's Flood Damage Prevention Ordinance. These requirements include the modelling of the floodplain of Bolin Creek to show that the improvements have no impact to, and create no increase to, the existing floodplain elevation. Furthermore, the redevelopment of University Place will reduce the impervious area within the floodplain and RCD. Therefore, the redevelopment will reduce nutrient run-off associated with impervious surfaces as well as the water quantity run-off from the site. These reductions are in keeping with the goals stated in the LUMO Section 3.6.3 for the establishment of the RCD.

Thank you for your consideration of the request for approval of an RCD Exemption for these necessary impacts.

Sincerely,

MCADAMS



William H. Derks, PE
VP – Land Development

WHD/ca

Enclosures